

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ELIZABETH RODRIGUEZ
Plaintiff

v.

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY
Defendant

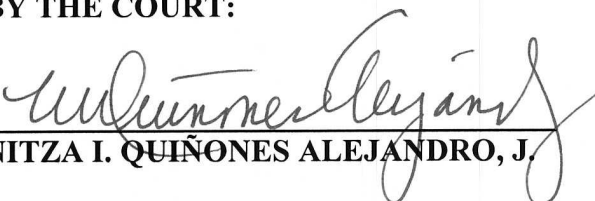
: **CIVIL ACTION**
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: **NO. 13-7220**
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O R D E R

AND NOW, this 8th day of September 2014, upon careful and independent consideration of Plaintiff's complaint, [ECF 3], Defendant's answer, [ECF 8], Plaintiff's brief and statement of issues in support of request for review, [ECF 11], Defendant's response to Plaintiff's request for review, [ECF 12], the reply, [ECF 13], and review of the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells, [ECF 15], and no objections filed thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The case is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. §405(g), so that the Administrative Law Judge (ALJ) can explicitly consider whether Plaintiff meets or equals the requirements of Listed Impairment 12.05. In order to evaluate this listing properly, the ALJ must consider Plaintiff's IQ test scores.
3. Judgment is **ENTERED** in favor of Plaintiff and against the Commissioner of the Social Security Administration.

BY THE COURT:


NITZA I. QUINONES ALEJANDRO, J.